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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,659	02/27/2004	Pieter G. Wybro	144599/MOD012	9153
23444	7590	12/03/2004	EXAMINER	
ANDREWS & KURTH, L.L.P. 600 TRAVIS, SUITE 4200 HOUSTON, TX 77002			SALDANO, LISA M	
			ART UNIT	PAPER NUMBER

3673

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/789,659

Applicant(s)

WYBRO ET AL.

Examiner

Lisa M. Saldano

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-26 and 28-44 is/are rejected.
- 7) ☒ Claim(s) 5 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/27/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the instrumented pins as claimed in claim 31 and the control panel as claimed in claim 32 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Claim Objections*

2. Claims 1 and 21 are objected to because of the following informalities:

Regarding claim 1, line 10, the applicant recites limitations directed to “said tension leg platform.” However, prior claim language from which this claim depends fails to mention a tension leg platform.

Regarding claim 21, line 2, it appears that the applicant should rewrite the claim to recite “...performed by a fairlead disposed...,” deleting the unnecessary word “is” to make the claim read more clearly.

Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-4, 6-15, 17-22, 24, 25, 28-30, 34-38 and 42-44 are rejected under 35

U.S.C. 102(b) as being anticipated by Borseth (6,106,198).

Regarding claims 1, 2, 7, 9-18, 24, 28, 42 and 43, Borseth discloses a method for installation of tension-leg platforms 9 (TLP) and flexible tendons 19. The tension leg platform does not comprise any temporary stability or buoyancy modules coupled thereto. Borseth discloses that the method is used to install a plurality of anchors between the TLP and sea floor (see column 5, lines 12-18). Borseth discloses an opening within monopod 10 and grooves 71 within deflectors 38 that function as connection sleeves to receive upper end of tendons 19, the upper ends being in the form of chains 37 (see Figs 9A). Borseth further discloses winches 42 that function as tensioning devices and wires 41 that function as pull down tension members for the tendons 19 (see Fig.9A). Borseth further discloses the steps of anchoring the tendons to the sea floor (see Fig.7), coupling the wires 41 to upper ends of the tendons 19, and tensioning the wires using the winches to anchor and keep the TLP submerged (see columns 5 and 6 for the method steps).

Regarding claim 3, the winches are capable of inducing tension in the pull-down tension members to submerge the vessel without ballasting (see Fig. 9A).

Regarding claim 4, Borseth discloses that the vessel may comprise ballast (see column 7, lines 5-8).

Regarding claim 6, Borseth discloses the aforementioned features in addition to a flowchart in Fig.4.

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Regarding claims 8 and 44, Borseth discloses that float 15 may be moved to compensate for resonance that would otherwise be created. He also discloses that the float generates a stabilizing moment in combination with TLP teeth (see column 7, lines 33-45).

Regarding claim 19, Borseth disclose the use of a stopper 40 to lock the chain 37 in place once the desired tension is obtained (see column 6, lines 33-36).

Regarding claims 20-22 and 30, Borseth discloses deflectors 38 that route the tension members to provide a generally vertical pull on the tendon or mooring member. There

Regarding claim 25 and 29, Borseth's platform 12 functions as an integrated deck.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borseth as applied to claim 14 above, and further in view of Wetmore (4,604,001).

Borseth discloses the invention as described above.

However, Borseth fails to disclose a jack.

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Wetmore discloses a jackdown tension leg platform comprising jacking mechanisms that permit the driving of members of a platform to move them upward (see column 4, lines 28-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Borseth to comprise a jacking mechanism to move a portion of the TLP, as taught by Wetmore, because Wetmore teaches that jacking mechanisms may be used to move structural members, just as winches do. In this particular application, the winch and a jacking mechanism are mechanical equivalents.

7. Claims 23, 26 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borseth as applied to claim 14 above, and further in view of Vincken et al (3,681,928).

Borseth discloses the invention as described above.

However, Borseth fails to disclose remote controls of the devices and measuring devices.

Vincken et al discloses a method and apparatus for carrying out underwater well operations comprising a controller 27 and winches for cable/tendon engaging means (see Fig. 1 and column 3, lines 38-45). Vincken et al disclose that the controller 27 can be used to keep cables 14 under proper load by means of automatic or remotely controlled coupling equipment (see column 5, lines 5-15). Furthermore, Vincken et al disclose the use of sensing devices 29.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Borseth to comprise remote controls, as taught by Vincken et al, because Vincken et al clearly teach that cables for the movement of a floating vessel may be manipulated by remotely controlled equipment. Incorporation of such a feature allows the

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invention to be run with greater ease from various locations. Furthermore, it would have been obvious to incorporate the teaching of sensing devices, such as instrumented pins, to acquire measurement to further facilitate remote operation of the platform manipulation.

8. Claims 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borseth as applied to claim 28 above, and further in view of Wybro (5,551,802).

Borseth discloses the invention as described above.

However, Borseth fails to disclose a trolley device.

Wybro discloses a tension leg platform and method or installation therefore comprising a trolley device 407 and track 405 that functions as a rail.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Borseth to include a trolley device and track or rails, as taught by Wybro, because provision of a trolley provides a means for transporting equipment and materials along the structural limits of the invention.

#### ***Allowable Subject Matter***

9. Claims 5 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.



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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa M. Saldano whose telephone number is 703-605-1167. The examiner can normally be reached on Monday-Friday, 8:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford can be reached on 703-308-2978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms



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